

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Dameron Jones whose telephone number is (703) 308-4840 and fax number is (703) 872-9306 on June 9, 2003.

Rhonda A. Etienne 6/9/03
Rhonda A. Etienne Date

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Achilefu et al.
Serial No.: 09/981,206
Filed: October 17, 2001
Group Art Unit: 1616
Confirmation No.: 5790
Examiner: Jones, Dameron
Title: **CARBOCYANINE DYES FOR TANDEM, PHOTODIAGNOSTIC AND THERAPEUTIC APPLICATIONS**
Our Ref. No.: MRD-74

Cincinnati, OH 45202

June 9, 2003

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL ELECTION

In response to the Office Action mailed May 20, 2003 in the above-referenced application, applicants elect with traverse Group 1 (claims 1-22), drawn to compounds of Formula 3 and uses thereof wherein W_1 and W_2 are $-CR^{10}R^{11}$; Y_1 , Y_2 , Z_1 , and Z_2 are $-(CH_2)_8-CONH-Bm$; X_1 and X_2 are nitrogen; Q is $-O-$; K_1 and K_2 are $-CH_2$; R_1 to R_9 are hydrogen; R_{10} and R_{11} are $-C(CH_3)_2$; A_1 is a single bond; and A_1 , B_1 , C_1 , and D_1 , form a six membered carbocyclic ring.

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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Attention: Dameron Jones
Art Unit 1616

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Pages (including cover page): 3

Re: U.S. Serial No. 09/981,206 CARBOCYANINE DYES FOR TANDEM,
PHOTODIAGNOSTIC AND THERAPEUTIC APPLICATIONS

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ATTACHMENTS/COMMENTS: **OFFICIAL**

Please deliver to Dameron Jones
Supplemental Election (2 pages)

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